

NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
NEW DELHI

Company Appeal (AT) (Ins) No. 65 of 2017

IN THE MATTER OF:

Diamond Engineering (Chennai)
Private Limited **Appellant**

Vs

Shah Brothers Ispat Private Ltd. **Respondent**

Present:

For Appellant: - Mr A.K. Mysamy and Ms Shalini Kaul,
Advocates.

For Respondent :- Mr Sulabh Rewari and Mr Shujoy
Mazumdar, Advocates

O R D E R

13.06.2017 — Mr Sulabh Rewari, Ld. Counsel accepts notice on behalf of Respondent. Requisites with process fee, if not filed, be filed by tomorrow. The Respondents are allowed two weeks' time to file reply and state whether the person who signed Form-3 and Form-5, as prescribed under the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 for issuing notice under Section 8 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as I&B Code) to the Appellant and filed a petition under Section 9 of the I&B Code was authorized by the Board of Directors of the Respondent/Operational Creditor (Respondent company). If there is any such resolution authorizing the person to issue notice under Section 8 of I&B Code and file the petition under Section 9 of the I&B Code, they may enclose copy of the same.

The case may be disposed of at the stage of admission. Post the matter on 5th July, 2017. Prayer for interim relief is rejected.

(Justice S.J. Mukhopadhaya)
Chairperson

(Mr. Balvinder Singh)
Member (Technical)